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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,484	02/10/2004	John Santhoff	028CIP-119.	1051
44279	7590	08/07/2007		
PULSE-LINK, INC. 1969 KELLOGG AVENUE CARLSBAD, CA 92008			EXAMINER VO, DON NGUYEN	
			ART UNIT	PAPER NUMBER
			2611	
			MAIL DATE	DELIVERY MODE
			08/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,484

Applicant(s)

SANTHOFF ET AL.

Examiner

DON N. VO

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgment

1. This Office Action is responsive to the Amendment filed on 5/14/07.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mowery, jr. (6,492,897; art of record) in view of Roberts (US 2004/0142663; art of record).

Regarding claims 1, 4-11, and 14-19, Mowery, as shown in figures 1-7,

teaches a system for coupling wireless signals to and from a power transmission line communication system comprising electric power wire (27), electric power outlet (28), ultra-wideband transmitter and receiver (24, 58). The coupling system of Mowery supports plurality of modulation techniques including UWB to communicate to and from the power line or power grid, which includes transformer (37), transmission substation (39), and distribution substation (38), through the interface (58) (bridge). See also column 6, lines 38 to column 17, line 7. However, Mowery fails to teach the carrier-free transmission for the term ultra-wideband (UWB) as now specified on pages 9 and 10 of the Amendment filed on 9/1/06. However, using carrier or carrier-free for UWB communications is well known in the art of UWB communications. See paragraphs [0006] and [0173] of Roberts. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Mowery for communicating the UWB pulse using carrier-free technique as taught by Roberts since it is just an alternative way of communicating the UWB signals.

Regarding claims 2, 3, 12, 13, 20, and 21, both Mowery and Roberts teaches all subject matter claimed except for specify the duration of the UWB pulse (claims 2, 12 and 20) and the power ranging (claims 3, 13 and 21) as claimed. However, to communicate the UWB pulse having the claimed duration and power is only a matter of selecting the operational parameters for a system's need and thus, would not involve any inventive features. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

to modify the system of Mowery and Roberts for communicating the UWB pulse having the claimed duration and power as long as it is still in according with the UWB time domain based technology (column 11, lines 11-28) since it is just one of the range that the UWB signals can be communicated.

Response to Arguments

5. Applicant traverses to the rejection by mainly arguing that the cited reference Roberts (US 2004/0142663) is not qualified as prior art and requesting a copy of the provisional application 60/357,638 to determine if its disclosure support the rejection. The examiner is hereby providing a copy of the provisional application 60/357,638 to applicant. However, the examiner is respectfully not agreed that reference Roberts (US 2004/0142663) is not qualified as prior art. As disclosed in para. 0001, Roberts claims a priority and incorporates the provisional application 60/357,638 and page 21 of 40 of the provisional application discloses the characteristics of UWB systems that "the pulse train is transmitted without translation to a higher carrier frequency, and so UWB is sometimes also termed "carrier-less" radio. In other words, a UWB system drives its antenna directly with a *baseband* signal." Such disclosure supports the subject matter as disclosed in para. [0006] and [0173] ("carrier-less" or carrier-free which the examiner relied upon) of reference Roberts 2004/0142663. Therefore, reference is qualified as prior art.

Based on the above rationale, it is believed that the rejection to claims 1-21 is proper and therefor, is still maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DON N. VO whose telephone number is (571) 272-3018. The examiner can normally be reached on MON - FRI (9:00-6:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JASON CHAN can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DON N. VO
Primary Examiner
Art Unit 2611